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du Treil, Lundin & Rackley, Inc.

_____ A Subsidiary of A. D. Ring, P. C.

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December 20, 1991

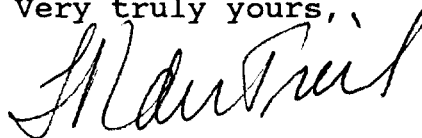
Federal Communications Commission
Office of the Secretary

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Dear Ms. Searcy:

Enclosed are the original and four copies of
Comments prepared in the matter of Advanced Television
Systems and Their Impact Upon the Existing Television
Broadcast Service in MM Docket No. 87-268.

Very truly yours,



Louis R. du Treil

Enclosures

LRD:las

DLR:2248

0+4



1019 19th Street, N.W.
Third Floor
Washington, D.C. 20036
202/223-6700
FAX: 202/466-2042

L. Robert du Treil
John A. Lundin
Ronald D. Rackley
L. Robert du Treil, Jr.
W. Jeffrey Reynolds

Steven J. Crowley
David E. Dickmann
James D. Sadler
Jerome E. Sadler

Consultants To The Firm:
Marvin Blumberg
Howard T. Head

Harold L. Kassens
Ogden L. Prestholdt
J.W. Stielper

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

DEC 20 1991

Federal Communications Commission
Office of the Secretary

In the Matter of)
Advanced Television Systems)
and Their Impact Upon) MM Docket No. 87-268
the Existing Television)
Broadcast Service)

Comments of du Treil, Lundin & Rackley, Inc.

du Treil, Lundin & Rackley, Inc., ("dLR") hereby submits the following comments in response to the Notice of Proposed Rulemaking in the above referenced proceeding. dLR and its parent company, A.D. Ring, P.C., have provided engineering services to the broadcast industry since 1941.

I. Introduction

dLR supports the Commission's work to develop rules to enable current broadcasters to implement advanced television (ATV) and thus supports the thrust of the Notice of Proposed Rulemaking.

The instant comments are restricted to three areas: 1) unused allotments should be purged from the TV Table of Allotments, 2) the reference coordinates for ATV channel allotments must be chosen with care, and 3) if the Commission decides that the termination of NTSC operation should be based on receiver penetration, such decision should be on a market-by-market rather than national basis.

II. The Current TV Table of Allocations

dLR believes that all commercial TV allotments which are not currently employed or which do not have applications pending, should be deleted from the TV Table of Allotments. In an order adopted on July 16, 1987 (RM-5811), the Commission imposed a "freeze" on the TV Table of Allotments. No petitions to amend the table are being accepted for the most populated areas. Further, construction permits for vacant television allotments for these areas are not being accepted.

Some of these allotments are decades old. The Commission should go beyond the freeze and purge unused channels from the Table in anticipation of their use for ATV.

III. Selection of Reference Coordinates for ATV Allotments

In its methodologies proposed for assignment of particular channels, the Commission refers to allotting channels to each community, then either randomly matching particular ATV channels to NTSC channels or permitting existing NTSC licensees to apply for ATV channels in a given community on a first-come, first-served basis during an initial filing "window."

Rather than comment on the desirability of one approach over another, dLR wishes to raise practical issues before the Commission and the industry.

Should the Commission look at the desirability of clustering allotments at one location to facilitate a common antenna location for stations and thus reduce transmission costs? Most larger markets now have "defacto" antenna farms. It is also believed that this proceeding provides an opportunity for stations such as WCIX(TV), Miami, Florida and WTSP-TV, Tampa-St. Petersburg, Florida, to overcome their site handicaps as compared to other stations in their market.

How will the Commission handle the conflict raised by allotting ATV channels to a community's reference coordinates but having stations unable to use them at their existing sites because such sites are some distance away from the city and thus short-spaced? Does the Commission anticipate granting waivers in these cases?

Should, instead, the allotment process allot an ATV channel to each station at its existing transmitter site?

dLR urges thoughtful consideration of these questions.

IV. Surrender of NTSC Spectrum

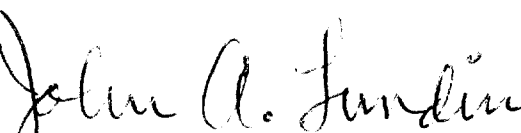
dLR supports surrender of NTSC spectrum on a market-by-market basis rather than a national basis. The Commission is correct in assuming that consumers in larger markets probably will convert to ATV before those in smaller markets. In smaller markets, there will be fewer financial resources on the part of

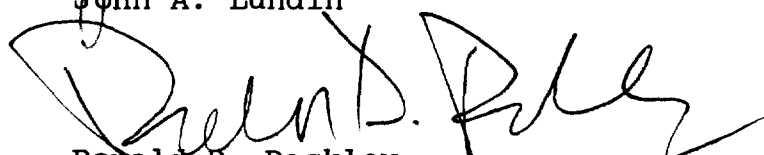
both stations and consumers. While it can be called, as the Commission does, "piecemeal," dLR prefers to call it market-sensitive, and does not believe that such an approach will adversely affect the availability of network or other nationwide ATV programming.

V. Conclusion

dLR supports the Commission's efforts to refine and articulate a regulatory approach for ATV that will accommodate existing broadcasters. dLR respectfully urges the Commission to purge unused commercial allotments from the TV Table of Allotments, give careful consideration to choosing the reference coordinates for ATV channel allotments, and, if NTSC operation is terminated, do so on a market-by-market rather than national basis.


Louis R. du Treil


John A. Lundin


Ronald D. Rackley

du Treil, Lundin & Rackley, Inc.
1019 19th Street, N.W., 3rd Floor
Washington, D.C. 20036
(202) 223-6700

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